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10/501,877	07/20/2004	Katsuhiro Miyamoto	03500.016933.	6554
5514	7590	09/27/2007	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			WENDMAGEGN, GIRUMSEW	
30 ROCKEFELLER PLAZA			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/501,877	MIYAMOTO ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Girumsew Wendmagegn	2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 20 July 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-3, 6-9 and 11-19 is/are rejected.
- 7) Claim(s) 4-5, 10 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 8/16/06.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claim 1,2,6,11-13,16-19** are rejected under 35 U.S.C. 102(b) as being anticipated by Parulski et al. (Patent No. US 5,241,659).

Regarding claim1, 12,16,18, Parulski et al (herein after Parulski) anticipates a signal processing apparatus operated by a remote controller comprising: a designation unit arranged to designate reproduction procedure of an image signal recorded on a recording medium (see figure7 and column7 line 24-30); a management data processing unit arranged to allocate to an operating key of said remote controller, a reproduction function that corresponds to said designated reproduction procedure, and generate reproduction procedure management information which includes operating key information indicating the operating key to which said reproduction function is allocated ,and reproduction procedure information indicating said designated reproduction procedure( see figure2 element 44 and column6 line 45-53); and a recording unit arranged to record on said recording medium the reproduction procedure management information ( see figure2 element 44 and column6 line 45-53) .

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Regarding claim2, Parulski anticipates a signal processing apparatus according to claim1, wherein said management data processing unit selects one of a plurality of layout information's representing predetermined display layouts, and generates said reproduction procedure information using the selected layout information (see column7 line 19-22).

Regarding claim6, Parulski anticipates a signal processing apparatus according to claim1, further comprising: a reproduction unit arranged to reproduce said image signal and said reproduction procedure management information stored on said recording medium (see figure 2 cd reader and EEPROM Module); and a control unit arranged to control the reproduction operation of said reproduction unit based on said reproduction procedure management information that is reproduced by said reproduction unit (column9 line 23-34).

Regarding claim11, 13,17,19, Parulski anticipates a signal processing apparatus operated by a remote controller comprising: a designation unit arranged to designate reproduction procedure of an image signal recorded on a recording medium (see figure7 and column7 line 24-30); a management data processing unit arranged to allocate to an operating key of said remote controller, a reproduction function that corresponds to said designated reproduction procedure, and generate reproduction procedure management information which includes operating key information indicating the operating key to which said reproduction function is allocated ,and reproduction

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procedure information indicating said designated reproduction procedure( see figure2 element 44 and column6 line 45-53);a transmission unit arranged to transmit said reproduction procedure management information to an external device ( see figure2 element 44 and column6 line 45-53).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claim3** is rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al. (Patent No. US 5,241,659).

Regarding claim3, see the teaching of Parulski above. Parulski does not teach signal processing apparatus according to claim 2, wherein said a plurality of layout information further include template information representing types of operating keys to be employed and functions of said operating keys; and wherein said management data processing unit further generates said operating key information based on the template information included in said selected layout data. However it is old and well known in the art to include template information representing types of operating keys to be employed and functions of said operating keys and generates operating key information based on the template information. Therefore official notice is taken.

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One of ordinary skill in the art at the time the invention was made would have been motivated to include template information and generating operating key information because it would allow the user to interact with the apparatus.

**Claim7-9 and 14-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al. (Patent No. US 5,241,659) further in view of Hirano (Patent No. US 6,885,408).

Regarding claim7, see the teaching of Parulski. Parulski does not teach a reception unit arranged to receive a television broadcast and an output unit arranged to output, to a display device, an image signal associated with said television broadcast received by said reception unit and an image signal reproduced by said reproduction unit. However Hirano teaches reception unit arranged to receive a television broadcast and an output unit arranged to output, to a display device, an image signal associated with said television broadcast received by said reception unit and an image signal reproduced by said reproduction unit (see figure2 element 1, 3 and 8).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate reception unit and output unit as in Hirano in to Parulski apparatus because it would make it more versatile.

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Regarding claim8, Hirano teaches a signal processing apparatus according to claim 7, wherein said reproduction unit includes a memory unit having a plurality of memory planes, and wherein, based on said reproduction procedure designated in accordance with said reproduction procedure management information, said control unit determines the memory plane to which said image signal is to be written (see figure2 element 4-7).

Regarding claim9, Hirano teaches a signal processing apparatus according to claim 8, wherein said reproduction unit further includes a mixing circuit which mixes image data stored in said plurality of memory planes and outputs the mixed image data to said display device, based on said reproduction procedure, said control unit changes the ratio at which said mixing circuit mixes said image data of said memory planes (see figure2 element 2 and 3).

Regarding claim14, 15, Parulski teaches television broadcast receiver, the operation of which is controlled by a remote controller, comprising: a designation unit arranged to designate reproduction procedure of an image signal stored on a recording medium (see figure7 and column7 line 24-30); a management data processing unit arranged to allocate to the operating key of said remote controller a reproduction function corresponding to said designated reproduction procedure, and generate reproduction procedure management information, which includes operating key information indicating the operating key to which said reproduction function is allocated,

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and reproduction procedure information which indicates said designated reproduction procedure( see figure2 element 44 and column6 line 45-53); a recording unit arranged to write onto said recording medium said reproduction procedure management information (see figure2 element 44 and column6 line 45-53); a reproduction unit arranged to reproduce the image signal and said reproduction procedure management information stored on said recording medium(see figure2 element cd reader and element 60); a reception unit arranged to receive a television broadcast signal that includes moving image data and still image data (see figure2 element 1 and 3; column3 line 17-20); a display image generation unit which includes a memory unit that has a moving image memory plane for moving image data and a still image memory plane for still image data, arranged to generate an image signal for display using said memory unit and output said image signal to a display device (see figure2 element 6 and 7) but does not teach a mode switching unit arranged to switch between a first mode for displaying, on said display device, images associated with a television broadcast received by said reception unit, and a second mode for displaying, on said display device, an image associated with the image signal that is reproduced from said recording medium by said reproduction unit in accordance with said reproduction procedure management information; and a writing control unit arranged to write, in said first mode, said moving image data included in said television broadcast signal onto said moving image memory plane and also write said still image data onto said still image memory plane, and write, in said second mode, the reproduced image signals of a plurality of pictures to both said moving image memory plane and said still image

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memory plane. However Hirano teaches writing control unit arranged to write, in said first mode, said moving image data included in said television broadcast signal onto said moving image memory plane and also write said still image data onto said still image memory plane, and write, in said second mode, the reproduced image signals of a plurality of pictures to both said moving image memory plane and said still image memory plane (see figure2 element 3, column3 line 34-40) but does not teach mode switching between two or more image signal input. However mode switching between two or more image signal input is old and well known in the art. Therefore official notice is taken.

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate still image and moving image memory plane (Layers) as in Hirano in to Parulski apparatus because it would allow the user to process still and moving image independently (see Hirano column1 line 29-31).

Therefore, the invention as a whole would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made, absent unexpected results to the contrary.

**Claim4-5, and 10** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Girumsew Wendmagegn whose telephone number is

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571-270-1118. The examiner can normally be reached on 7:30-5:00, M-F, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai can be reached on (571) 272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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